

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

AUG 18 2015  
US DISTRICT COURT  
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA, )  
 )  
 v. )  
 )  
(1) LORIS GEMON )  
 )

CRIMINAL NO. 3:14-cr-140-RJC  
CONSENT ORDER AND  
JUDGMENT OF FORFEITURE  
PENDING RULE 32.2(c)(2)

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 982(a)(1), 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

- Professional recording equipment seized on or about June 6, 2014 from 5300 Old Pineville Road, Charlotte, North Carolina;
- Miscellaneous tools seized on or about June 6, 2014 from 5300 Old Pineville Road, Charlotte, North Carolina;
- One 2006 GMC C4500, VIN #: 1GDE4C1226F408027, seized on or about June 6, 2014 in Charlotte, North Carolina;
- One 2007 Kenworth T300 medium duty truck, VIN # 2NKMHY6X87M204540, seized on or about June 6, 2014 in Charlotte, North Carolina;
- One 2005 Hummer H2 V8 sports utility vehicle, VIN #: 5GRGN23U65H121035, seized on or about June 6, 2014 in Charlotte, North Carolina;
- One 2008 Ford Econoline E350 V8 van, VIN #: 1FTSS34L28DA62495, seized on or about June 6, 2014 in Charlotte, North Carolina;
- One 2002 BMW 745i, VIN #: WBAGL63432DP60584, seized on or about June 6, 2014 in Charlotte, North Carolina;
- One 2008 Mercedes S 63 VIN #: WDDNG77X18A155830, seized on or about May 19, 2014 from 15901 Collins Avenue, Sunny Isles, Florida;
- One 2007 Cadillac Escalade VIN #: 1GYFK66867R218464, seized on or about May 19, 2014 from 15901 Collins Avenue, Sunny Isles, Florida;
- One 2007 Cadillac Escalade VIN #: 1GYFK668X7R242136, seized on or about May 19, 2014 from 15901 Collins Avenue, Sunny Isles, Florida;
- One 2002 BMW VIN # 5UXFB93582LN78556, seized on or about May 19, 2014 from 15901 Collins Avenue, Sunny Isles, Florida;
- One 2003 Donzy Marine 37' 1021DX vessel, Hull ID #: DN AZ8009L203, seized on or about June 4, 2014 from 2890 NE 187 Street, Aventura, Florida;

- Approximately \$409,000 in United States currency, seized on or about May 22, 2014 from 11724 NW 56th Street, Coral Springs, Florida;
- One 2001 Chevrolet Suburban VIN # 3GNFK16T91G153900, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2008 Range Rover VIN # SALMF15448A268419, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2009 Jeep Grand Cherokee VIN # 1J8HR78W99C530238, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2007 Cadillac Escalade VIN # 1GYEC63857R292021, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2005 Chevrolet C5500 Rollback tow truck VIN # GBE5E1215F523329, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2011 Homesteader utility trailer VIN # 5HABE1620BN011180, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One Suzuki Kingquad 4x4 VIN # 5SAAR41A5B7101511, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One Toro Zero Turn 3000 Series lawnmower model 74956, serial number 313000674, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One Kahr Arms 45 caliber TP45 pistol, serial number SP0181 and ammunition;
- One Glock GMBH 30 pistol, 45 caliber, serial number EBC582US and ammunition;
- One Glock GMBH 23 pistol, 40 caliber, serial number BRT854US and ammunition;
- One High Standard HSA 15 rifle, 223 caliber, serial number RES00482
- Eight (8) pieces of miscellaneous jewelry, seized on or about May 21, 2014 from 6262 Greystone Drive, Matthews, North Carolina;
- One 2011 Rolls Royce Drophead Phantom VIN # SCA682D53BUX16656, seized on or about July 10, 2014 from 7625 Rosecrans Avenue, Unit 19, Paramount, California;
- Real property located at 3250 Rozzelles Ferry Road, Charlotte, North Carolina, more particularly described in a deed recorded at Deed Book 25470, Page 772 in the Mecklenburg County Public Registry;
- Real property located at 3254 Rozzelles Ferry Road, Charlotte, North Carolina, more particularly described in a deed recorded at Deed Book 25470, Page 772 in the Mecklenburg County Public Registry;
- Real property located at 3236 Rozzelles Ferry Road, Charlotte, North Carolina, more particularly described in a deed recorded at Deed Book 24122, Page 449 in the Mecklenburg County Public Registry; and
- A forfeiture money judgment in the amount of \$1,000,000 constituting proceeds of the violations charged in the Bill of Indictment.

2. The United States Marshals Service, the investigative agency, and/or the agency contractor is authorized to take possession and maintain custody of the above specific asset(s).

3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

4. A forfeiture money judgment in the amount of \$4,500,000.00 shall be included in the defendant's sentence, and the United States may take steps to collect the judgment from any property of the defendant, provided, the value of any forfeited specific assets shall be credited toward satisfaction of this money judgment upon liquidation

5. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

6. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

7. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of Defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. § 982(a)(1), 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant. If the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so. As to any firearms listed above and/or in the charging instrument, Defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion deem to be legally sufficient, and waives any and all right to further notice of such process or such destruction.

JILL WESTMORELAND ROSE  
ACTING UNITED STATES ATTORNEY



STEVEN KAUFMAN, ESQ.  
Assistant United States Attorney



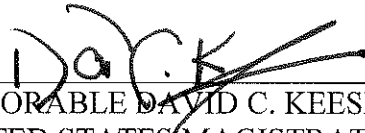
LORIS GEMON  
Defendant



A handwritten signature in black ink, appearing to read 'N. Gerber', written over a horizontal line.

NILS GERBER, ESQ.  
Attorney for Defendant

Signed this 18<sup>th</sup> day of August 2015.

A handwritten signature in black ink, appearing to read 'D.C. Keesler', written over a horizontal line.

HONORABLE DAVID C. KEESLER  
UNITED STATES MAGISTRATE JUDGE